

AO 91 (Rev. 11/11) Criminal Complaint

CLERKS OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

UNITED STATES DISTRICT COURT

for the

5/13/20
JULIA C. DUDLEY, CLERK
BY: s/ ELLA SURBER
DEPUTY CLERKUnited States of America
v.
DYLAN STEPHEN JAYNE

Case No. 1:20MJ80

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/02/2019 in the county of Washington in the
Western District of Virginia, the defendant(s) violated:

Code Section

Offense Description

18 USC 875(c)

Transmitting in interstate commerce a threat to injure the person of another

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.
Complainant's signatureGerren K. Stith, Special Agent
Printed name and titletelephonically.
Sworn to before me and signed in my presence.Date: 5/13/20City and state: Lebanon
Abingdon, Virginia
Judge's signature
Pamela Meade Sargent, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT.

I, Gerren K. Stith being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with the United States Capitol Police (USCP), where I have served since October 2009. I am currently assigned to the Investigations Division, Threat Assessment Section (TAS). My duties and responsibilities, among other things, include investigating threats made to federal officials. I have attended the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received training and gained experience in search warrant and arrest warrant applications. I have participated in numerous investigations into threats against members of Congress to include violations of Title 18, United States Code, Section 875(c).

2. The facts set forth below are based upon my own observations, investigative reports and information provided to me by other law enforcement agents or witnesses. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

RELEVANT STATUTE

3. Title 18, United States Code, Section 875(c), states that "Whoever transmits interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person or another,..."

PROBABLE CAUSE

4. On or about September 2, 2019, Dylan JAYNE called the Abingdon state office of Senator M.W. and threatened to kill Senator M.W. regarding lack of social security payments.

5. On September 2, 2019, at approximately 10:55 a.m., JAYNE left the following voicemail at Senator M.W.'s Abingdon state office: "Agent director at your FBI for Mark Warner, I leave you a message today on a work holiday. You have Dylan Jayne's money for social security on that contractor. You put his money in the bank right now or else... You do anymore indicting for me and I'm going to fucking kill your ass by someone else."

6. Your Affiant searched law enforcement databases of JAYNE and it was revealed that JAYNE is on record with the USCP for leaving concerning and threatening voicemails and phone calls to multiple Congressional offices dating back to 2008.

7. On September 3, 2019, your Affiant obtained the incoming call records of Senator M.W.'s Abingdon office. Call records revealed that phone number 757-902-4697 called the office at the approximate time the threatening voicemail was received.

8. On September 3, 2019, your Affiant obtained a current GPS location of phone number 757-902-4697 which revealed a location in Burlington, VT.

9. On September 4, 2019, your Affiant obtained the outgoing call records and subscriber information of phone number 757-902-4697. Those records revealed an outgoing going call to Senator M.W.'s Abingdon office at the time the threatening voicemail was received. The records also provided the initials "R" and "K" as the first and last name of the account. Email address of "rkyle451@gmail.com" was listed on the account. Address 825 18th St Virginia Beach, VA was the address on file for the account. That address belongs to The Lighthouse Center, a shelter for homeless adults in Virginia Beach, VA.

10. A review of prior USCP TAS records revealed a voice message left May 27, 2019 at a Congressman's office where JAYNE indicated he was in Virginia Beach. JAYNE stated: "Well, I'm on the street and there's everybody here on Virginia Beach that's not helping me."

11. On June 3, 2019, in a different USCP TAS investigation of JAYNE, JAYNE told the interviewing agent that he was currently homeless in Virginia Beach and staying at a shelter.

12. On September 4, 2019, your Affiant called Amy Jayne, the sister of JAYNE. Ms. Jayne stated that JAYNE has been in Burlington, VT for two weeks. Ms. Jayne stated she picked up JAYNE from the bus station two weeks ago. Ms. Jayne stated that JAYNE traveled from Virginia Beach, VA to Burlington, VT.

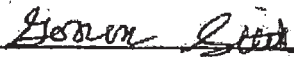
13. On September 9, 2019, your affiant traveled to Burlington, VT and spoke to Ms. Jayne in person. Ms. Jayne advised your affiant that she believes phone number 757-902-4697 is the contact number of JAYNE and has used that number to contact JAYNE.

CONCLUSION

14. Based upon the above information, there is probable cause to believe that Dylan JAYNE did, on or about September 2, 2019, transmit in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person or another, in violation of Title 18, United States Code, Section 875(c).

15. I therefore ask that an arrest warrant be issued for Dylan JAYNE.

Further, your affiant sayeth naught.



Special Agent Gerren K. Stith
United States Capitol Police

READ AND REVIEWED:

/s Jennifer R. Bockhorst
Assistant United States Attorney

Sworn and subscribed to before me, this telephonically 13th day of May, 2020.

Lebanon
At Abingdon, Virginia

Pamela Heade Sargent
UNITED STATES MAGISTRATE JUDGE